

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)

VS.)

CRIMINAL NO. 2:05-CR-119-F)

DON EUGENE SIEGELMAN,)

PAUL MICHAEL HAMRICK,)

GARY MACK ROBERTS, and)

RICHARD M. SCRUSHY.)

DEFENDANT GARY MACK ROBERTS' EXHIBIT LIST

Comes now Defendant Gary Mack Roberts and submits the following list of exhibits to be used at trial.

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
			1			Jim Allen Immunity Agreement
			2			1999 Jim Allen Tax Return
			3			2001 Jim Allen Tax Return
			4			2002 Jim Allen Tax Return
			5			2003 Jim Allen Tax Return
			6			Arkansas Highway Dept. DVD
Yes	5-25-06	5-25-06	7	Allen		Rainline DVD
Yes	6-1-06	6-1-06	8	Marcato		The Rainline Corp. Brochure
			9			Synopsis of Usage of Rainline
			10			Jay Lindly Resume
			11			"Testing Wet and Dry Pavement Markings" ITE Journal 8/04
Yes	6-1-06	6-1-06	12	Marcato		U.S. Patent No. 5,439,312

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
Yes	6-1-06	6-1-06	13	marcato		U.S. Patent No. 5,511,896
Yes	6-1-06	6-1-06	14	marcato		U.S. Patent No. 5,642,962
Yes	6-1-06	6-1-06	15	marcato		U.S. Patent No. 6,247,872
Yes	5-30-06	5-30-06	16	Vaughn	X	3/1/93 PEB Agenda & Minutes
			17			4/23/93 Letter from William Hartzog
Yes	5-30-06	5-30-06	18	Vaughn	X	1/2/96 Notes from PEB Meeting
			19			9/97 Rainline: Features and Benefits
			20			3/20/98 Letter of William Hartzog
			21			4/20/98 Memo from Ray Bass
			22			5/15/98 Letter from Jimmy Butts
			23			1/18/99 Gov. Siegelman Letter
			24			2/9/99 Memo of John Lorentson
			25			2/22/99 Letter from Joe Wilkerson
			26			3/12/99 Sales Agreement
Yes	5-30-06	5-30-06	27	Vaughn		4/30/99 Memo from Ray Bass
			28			Evaluation of Profiled Wet Weather Marking Systems and 5/5/99 Letter
			29			5/20/99 Letter from Joe Wilkerson with 5/5/99 Attachments
			30			7/6/99 Amended Sales Agreement
			31			7/3/00 Terry McDuffie Memo

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
Yes	6-1-06	6-1-06	32	Marcato		7/10/00 Don Arkle Memo
Yes	6-1-06	6-1-06	33	Marcato		9/14/00 Terry McDuffie Memo
Yes	5-30-06	5-30-06	34	Vaughn		1/31/01 Memo from Mack Roberts
			35			2/28/01 Wes Elrod Memo
Yes	5-31-06	5-31-06	36	Bowlin		3/8/01 Letter from Jeffery Brown to Jay Lindly
Yes	5-30-06	5-30-06	37	Vaughn		3/15/01 Proprietary and High Cost Safety materials and Devices Memo
			38			Evaluation of Profiled Pavement Markings (6/12/01)
			39			8/13/01 Mike Harper Letter
			40			11/6/01 USDOJ Letter to Lanny Young
			41			1/17/02 Lorentson Memo
			42			1/24/02 Rushing Memo
			43			1/29/02 Don Arkle Memo
			44			8/19/02 Don Arkle Memo
			45			7/15/03 Letter from Joe Wilkerson
			46			7/16/03 D.W. Vaughn Memo
			47			5/24/04 Jennifer Marcato Memo
Yes	6-1-06	6-1-06	48	Marcato		3/22/05 Letter from David Byrnes
			49			11/30/04 USDOJ Letter to Mac Marcato
			50			5/25/05 Joe Wilkerson Memo

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
			51			Arkansas Rainline/Gulfline Investigation Document
Yes	5-25-06	5-25-06	52	Allen		Sample Bid Prices for 6" Solid Profiled Line
			53			ALDOT Summary of Use of Inverted Profile Traffic Stripe
			54			Rainline Commission Break Down
			55			5/19/99-Guideline 3-33
			56			12/20/00-Guideline 3-33
			57			9/10/02-Guideline 3-33
			58			8/1/03-Guideline 3-33
			59			4/20/98-Standard Specification Section 702
			60			9/19/00-Standard Specification Section 702
			61			11/7/00-Standard Specification Section 702
			62			7/16/02-Standard Specification Section 702
			63			Indictment Case No. CR-04-BE-239-M
			64			Superceding Indictment Case No. CR-04-BE-239-M
			65			Information Case No. 03-135-N
			66			Lanny Young Plea Agreement
			67			Lanny Young Plea Agreement Case No. 2:05CR116-A
			68			Information Case No. CR 03-113-N

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
			69			Nick Bailey Plea Agreement
Yes	5-31-06	5-31-06	70	Armberg		12/29/98 HUD Settlement Sheet 3805 Cedar Avenue ✓
			71			2/23/99 HUD Settlement Sheet 3805 Cedar Avenue
Yes	5-31-06	5-31-06	72	Armberg		12/29/98 HUD Settlement Sheet 55 Emerald Mountain Expressway ✓
			73			10/24/03 HUD Settlement Sheet 55 Emerald Mountain Expressway
			74			10/24/03 HUD Settlement Sheet 198 Walnut Point Drive
Yes	5-31-06	5-31-06	75	Derrickson		10/1/99 ALDOT Organizational Chart ✓
			76			2/1/05 ALDOT Organizational Chart
Yes	6-6-06	6-6-06	77	Graham		Mack Roberts Personnel File ✓
			78			Mack Roberts Employment Contract
Yes	6-5-06	6-5-06	79	Hudgins		Bonus Calculation ✓
			80			1997 Mack Roberts Tax Return
			81			1998 Mack Roberts Tax Return
			82			1999 Mack Roberts Tax Return
			83			2000 Mack Roberts Tax Return
			84			2001 Mack Roberts Tax Return
			85			2002 Mack Roberts Tax Return
			86			2003 Mack Roberts Tax Return
			87			2004 Mack Roberts Tax Return

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
			88			2/22/06 Retirement Systems Letter and Attachment
Yes	6-9-06	6-9-06	89	Swann		Map of Western Bypass
Yes	5-25-06	5-25-06	90	Allen		3/15/96 Letter from Rose
Yes	6-9-06	6-9-06	91	Swann		3/15/96 Letter from City of Northport
Yes	6-9-06	6-9-06	92	Swann		5/16/96 Resolution of TCIDA
Yes	6-9-06	6-9-06	93	Swann		Photographs of Gov. James at Western Bypass
Yes	5-25-06	5-25-06	94	Allen		10/7/96 Letter from Butts
Yes	6-9-06	6-9-06	95	Swann		10/22/96 Dupont Letter
Yes	5-25-06	5-25-06	96	Allen	x	11/15/96 Joint Letter to Gov. James
			97			3/17/99 Tuscaloosa County Commission Resolution
			98			6/29/99 Roberts Letter
Yes	6-12-06	6-12-06	99	Bowlin		6/29/99 Gov. Siegelman Letter
Yes	6-9-06	6-9-06	100	Swann		7/12/99 Ippolito Letter and Time Line Attachment
Yes	5-30-06	5-30-06	101	Courson		5/23/01 Letter and Agreement between ALDOT and Tuscaloosa County
Yes	5-30-06	5-30-06	102	Courson		6/29/01 Letter and Agreement between ALDOT and Tuscaloosa County
Yes	5-30-06	5-30-06	103	Courson		9/19/01 Letter and Agreement between ALDOT and Tuscaloosa County
			104			Any rebuttal documents as dictated by the Govt's case

Admit	Date Offered	Date Id'd	Exh#	Witness	Obj	Description
Yes	5-30-06	5-30-06	105	Vaughn		Memo to Don Arkle from John E. Lorentson
Yes	5-31-06	5-31-06	106	Jennickson		Certification of Business Records re: AL Dept. of Transportation Grievance filed by John Jennickson
Yes	5-31-06	5-31-06	107	Armberg		List of total deposits received and Deposited
		5-31-06	108	Armberg		
Yes	6-1-06	6-1-06	109	Marcato		Board with Rainline
Yes	6-1-06	6-1-06	110	N. Marcato		Fax to Malcolm Carmichael from Jennifer Marcato
Yes	6-7-06	6-7-06	111	Moore		Summary Report ALDOT Consultant Contracts
Yes	For Court Only 6-8-06	6-8-06	a,b,c 112-	Not for jury, For Court Only Appeal Purposes		Mr. Burk - Klempeter

Respectfully submitted

/s/ David McKnight
David McKnight
Attorneys for Gary Mack Roberts
BAXLEY, DILLARD, DAUPHIN, MCKNIGHT
AND BARCLIFT
2008 Third Avenue South
Birmingham, AL 35233
Telephone: (205)271-1100
Fax: (205)271-1108